

## SB 96 Revise Initiative and Referendum Process

Sponsored by Sen. Carol Williams

By Request of the Department of Justice and Secretary of State

Date 2-7-07  
Bill No. SB-96

## WHAT DOES THE BILL DO?

- Gives the Montana Supreme Court original jurisdiction to review ballot statements prepared by the Attorney General and to determine the legal sufficiency of ballot issues. *section 1*
- Requires signature gatherers for ballot issues to be Montana residents. *section 5*
- Prohibits signature gatherers for ballot issues from being paid by the signature. *section 5*
- Prohibits preamble and argumentative language from ballot issue language. *section 6*
- Removes "assisted" in gathering from affidavit language that is signed by signature gatherers. *section 13*
- Lengthens the time given to the Budget Director to prepare fiscal notes from 6 to 10 days for ballot issues that affect revenue, expenditures or fiscal liability of the state. *section 14*
- Requires the Attorney General to determine if a ballot issue will conflict with other ballot issues and notice the Secretary of State if a conflict exists. *section 14*  
Requires each county to notice conflicting ballot issues on ballots. *section 20*
- Clarifies that signatures gathered on sample petitions that are later revised by the Attorney General or the courts are void and cannot be counted toward the final signature count. *section 16*
- Requires that the Supreme Court make a final determination on legal sufficiency before a ballot issue is certified by the Secretary of State for printing on the ballot. *section 16*
- Requires that every county's ballot contain identical language for each ballot issue. *section 21*

For more information, contact Pam Bucy, Department of Justice, 444-5790